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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/067,373	02/07/2002	Tomohiro Ando	219272US2	7453

22850 7590 07/15/2004

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1940 DUKE STREET
ALEXANDRIA, VA 22314

EXAMINER

HASHEM, LISA

ART UNIT	PAPER NUMBER
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2645

8

DATE MAILED: 07/15/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/067,373

Applicant(s)

ANDO, TOMOHIRO

Examiner

Lisa Hashem

Art Unit

2645

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 05 May 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☐ Claim(s) _____ is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-14 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- ☒ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
- ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____.
- ☐ Notice of Informal Patent Application (PTO-152)
- ☐ Other: _____.

FINAL DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1-14 are rejected under 35 U.S.C. 102(b) as being clearly anticipated by European Patent Application EP 0966136 by Rysgaard et al, hereinafter Rysgaard.

Regarding claim 1, Rysgaard discloses a language selecting method of selecting a language in which information is transmitted from a service providing apparatus to a mobile station or mobile phone (Figure 1, 1) in a mobile communication system (as shown in Figure 1) that includes the mobile station and the service providing apparatus (Figure 1, 50) for providing services to the mobile station, which method comprises the steps of: transmitting, from the mobile station to the service providing apparatus (page 3, column 4, section 0017, lines 48-55), language select information for selecting a language in which information is to be received (page 3, column 4, section 0018, line 56 – page 4, column 5, section 0018, line 2), when the mobile station starts communication, e.g. initiating a call via a data cable (page 4, column 6, section 0023, lines 35-46); receiving, at the service providing apparatus, the language select information supplied from the mobile station, this may be done via the direct connection (page 4, column 6, section 0021, lines 16-24); and transmitting, from the service providing apparatus to the mobile station, information in the language corresponding to the language select information (page 4, column 6, section 0022, lines 25-34).

Regarding claim 2, the language selecting method as claimed in claim 1 mentioned above, wherein Rysgaard further discloses the steps of receiving, at the mobile station, a notification of which language is selected by a user; and transmitting, from the mobile station to the service providing apparatus, language select information corresponding to the language selected by the user, via the air interface (Figure 1, 35; page 4, column 6, section 0023, lines 35-46).

Regarding claim 3, the language selecting method as claimed in claim 1 mentioned above, wherein Rysgaard further discloses the step of, when a language in which user information is stored beforehand in the mobile station is selected by a user (page 3, column 4, section 0018, lines 56-58), transmitting language select information corresponding to the language selected by the user, from the mobile station to the service providing, via the air interface (Figure 1, 35; page 4, column 6, section 0023, lines 35-46).

Regarding claim 4, the language selecting method as claimed in claim 1 mentioned above, please see the rejection to the method in claim 3 to reject the method in claim 4.

Regarding claim 5, the language selecting method as claimed in claim 1 mentioned above, wherein Rysgaard further discloses the steps of: determining, at the service providing apparatus, whether the information in the language corresponding to the language select information is transmittable; and when the information is transmittable, transmitting the information in the language corresponding to the language select information, from the service providing apparatus to the mobile station (page 4, column 6, section 0022, lines 25-34).

Regarding claim 6, Rysgaard discloses a mobile communication system (as shown in Figure 1) comprising a mobile station or mobile phone (Figure 1, 1) and a service providing

Art Unit: 2645

apparatus (Figure 1, 50) for providing services to the mobile station, wherein the mobile station comprises a language information transmission unit or control unit for inherently transmitting, when starting communication, e.g. initiating a call via a data cable (page 3, column 4, section 0018, line 56 – page 4, column 5, section 0018, line 2; page 4, column 5, section 0018, lines 4-7; page 4, column 6, section 0023, lines 35-46), language select information for selecting a language in which information is to be received, to the service providing apparatus (page 3, column 4, section 0017, lines 48-55), and the service providing apparatus comprises a language information receiving unit for inherently receiving the language select information from the mobile station (page 4, column 6, section 0021, lines 16-24), and an information transmitting unit for transmitting information in the language corresponding to the received language select information, to the mobile station (page 4, column 6, section 0023, lines 35-46).

Regarding claim 7, the mobile communication system as claimed in claim 6 mentioned above, wherein Rysgaard further discloses the mobile station comprises a language select receiving unit or first keyboard (Figure 1, 75) for receiving a notification of which language is selected by a user (page 3, column 4, section 0015, lines 9-11), and the language information transmitting unit or control unit (Figure 1, 70) transmits language select information corresponding to the language selected by the user to the service providing apparatus (page 3, column 4, section 0017, lines 48-55).

Regarding claim 8, the mobile communication system as claimed in claim 6 mentioned above, wherein Rysgaard further discloses when a language in which user information stored beforehand in the mobile station is selected, the language information transmitting unit transmits

language select information corresponding to the selected language to the service providing apparatus (page 4, column 6 section 0023, lines 35-46).

Regarding claim 9, the mobile communication system as claimed in claim 6 mentioned above, wherein Rysgaard further discloses the language information transmitting unit transmits language select information stored in advance (page 3, column 4, section 0018, line 56 – page 4, column 5, section 0018, line 2) to the service providing apparatus (page 4, column 5, section 0020, lines 45-49).

Regarding claim 10, the mobile communication system as claimed in claim 6 mentioned above, wherein Rysgaard further discloses the service providing system further comprises a transmission determining unit for determining whether the information in the language corresponding to the language select information is transmittable (page 4, column 6, section 0022, lines 25-34), and the information transmitting unit transmits the information in the language corresponding to the language select information to the mobile station, when the information is determined to be transmittable by the transmission determining unit (page 4, column 5, section 0020, lines 45-49).

Regarding claim 11, Rysgaard discloses a mobile station or mobile phone (Figure 1, 1) that can receive services supplied from a service providing apparatus or central station (Figure 1, 50), comprising: a language select receiving unit or first keyboard (Figure 1, 75) for receiving language selection selected by a user (page 3, column 4, section 0015, lines 9-11); and a language information transmission unit or control unit (Figure 1, 70) for transmitting a language select information corresponding to the language selected by the user, together with a

Art Unit: 2645

transmission request signal when starting communication (page 3, column 4, section 0017, lines 48-55).

Regarding claim 12, the mobile station as claimed in claim 11 mentioned above, wherein Rysgaard further discloses a language storage unit or fixed memory area (Figure 2, 15) for storing a plurality of language in which user information is made (page 3, column 3, section 0013, lines 26-31); and a language information storage unit or memory location (Figure 2, 30, 31, or, 32) for storing the language selected by the user (page 3, column 3, section 0013, lines 45-49); whereby transmitting a language select information corresponding to the language stored in the language information unit in advance (page 3, column 4, section 0015, lines 10-11).

Regarding claim 13, Rysgaard discloses a service providing apparatus supplying services to a mobile station, comprising: a language information receiving unit for inherently receiving language select information transmitted from the mobile station when the mobile station starts a communication session or initiates a call via a data cable (page 4, column 6, section 0021, lines 16-24; page 4, column 6 section 0023, lines 35-46); and an information transmitting unit for transmitting information in the language corresponding to the received language select information, to the mobile station (page 4, column 5, section 0020, lines 45-49).

Regarding claim 14, the service providing apparatus as claimed in claim 13 mentioned above, wherein Rysgaard further discloses a transmission determining unit for determining whether the information in the language corresponding to the language select information is transmittable; whereby transmitting the information in the language corresponding to the language select information to the mobile station, when the information is determined to be transmittable by the transmission determining unit (page 4, column 6, section 0022, lines 25-34).

Response to Arguments

3. In response to the remarks (pages 7-9), of the Amendment filed on May 5, 2004, applicant argues that the Rysgaard reference fails to teach “the language select information is transmitted when the mobile station starts communication” and “the mobile station includes a transmission unit for transmitting the language select information when starting communication”. The examiner disagrees with applicant.

The cited reference clearly anticipates the claimed invention. Rysgaard clearly discloses transmitting, from the mobile station (Figure 1, 1) to the service providing apparatus (Figure 1, 50), language select information for selecting a language in which information is to be received, when the mobile station starts communication, wherein the user of the mobile station wants to change text data of one or more languages stored in the memory area (Figure 2, 15) or to add corresponding text data groups in a new language not yet provided by the memory area of the mobile station.

The communication between the central station of the service provider (Figure 1, 50) does not require acoustic communication between the agent and the user, but may also be based on simple data transfer via the air interface and/or the telecommunications network, wherein the transfer of text data groups from the central station to the mobile station is initiated by the mobile station (page 3, column 4, section 0018, line 56 – page 4, column 5, section 0018, line 2; page 4, column 6, section 0023, lines 35-46). The user may also use a data cable to connect the first network interface unit (Figure 1, 80) with the second network interface unit (Figure 1, 90) in the central station of the service provider. In this way, the mobile station may be connected directly to the central station, which may be a PC, and the text file may be downloaded from the PC to

Art Unit: 2645

the mobile station via this data cable (page 4, column 6, section 0021, lines 16-24). Thus, the language select information is transmitted when the mobile station starts communication.

Rysgaard also discloses the mobile station includes a transmission unit for transmitting the language select information when starting communication; wherein the control unit (Figure 1, 70) initiates a call either via the first network interface unit (Figure 1, 80) to the central station at the service provider (Figure 1, 50); wherein the communication between the mobile station and the central station is initiated by the mobile station (page 4, column 5, section 0018, lines 4-7; page 4, column 6 section 0023, lines 35-46). Thus, Rysgaard does suggest the mobile station includes a transmission unit for transmitting the language select information when starting communication.

In conclusion, the elements of the claimed invention is well met by the cited reference above, please see the rejections and response above.

4. Applicant's arguments with respect to claims 1-14 have been considered but are moot in view of the new ground(s) of rejection.

5. *4. Should read ... arguments w/ respect to claims 1-14 have been considered but are not persuasive.*

Office ACTION IS MADE FINAL. See MPEP

Applicant's *14* of time policy as set forth in 37 CFR 1.

A shortened statutory period for reply to this final action is set to expire

Conclusion

Action is just final

MONTHS from the mailing date of this action. In the event a first reply is filed

MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period

Art Unit: 2645

will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

6. Any response to this action should be mailed to:

Commissioner of Patents and Trademarks
Washington, D.C. 20231

Or faxed to:

(703) 872-9314 (for formal communications intended for entry)

Or call:

(703) 306-0377 (for customer service assistance)

Hand-delivered responses should be brought to: Crystal Park II, 2121 Crystal Drive, Arlington, VA, Sixth Floor (Receptionist).

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Lisa Hashem whose telephone number is (703) 305-4302. The examiner can normally be reached on M-F 8:30-5:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Fan Tsang can be reached on (703) 305-4895. Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 305-3900.

LH

lh
June 30, 2004

FAN TSANG
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600

